

Of Counsel:

GALIER DeROBERTIS ONO
Law Corporations

GARY O. GALIER	2008
L. RICHARD DeROBERTIS	3179
JEFFREY T. ONO	2763
DIANE T. ONO	5590

610 Ward Avenue, Second Floor
Honolulu, Hawai'i 96814-3308
Telephone: (808) 597-1400

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

IN RE:) CIVIL NO. CV03-00326 REJ KSC
HAWAII STATE ASBESTOS)
CASES)
) STIPULATION RE: INSURANCE
GEORGE H. TORO and VIVIAN) COVERAGE FOR ARTER &
TORO;) HADDEN, LLP AND ORDER
)
ZEKE H. SAKURAI and MASAE)
SAKURAI;)
)
LOLITA F. APO, individually and as) TRIAL: Not Yet Scheduled
Special Administrator of the Estate of) JUDGE: Robert E. Jones
JOHN K. APO, deceased;) Chief U.S. District Judge
)
VIOLET MAIL, individually and as)
Special Administrator of the Estate of)
SAMUEL K. MAIL, deceased;)
)
Plaintiffs,)
)

vs.

- 1) COMBUSTION ENGINEERING,
INC., a Delaware corporation;
- 2) ABB, LTD., a foreign corporation, as
Successor-in-Interest to COMBUSTION
ENGINEERING, INC., a Delaware
corporation;
- 3) ASEA BROWN BOVERI, LTD., a
foreign corporation, as Successor-in-
Interest to COMBUSTION
ENGINEERING, INC., a Delaware
corporation;
- 4) ASEA BROWN BOVERI, INC., a
Delaware corporation, as Successor-in-
Interest to COMBUSTION
ENGINEERING, INC., a Delaware
corporation;
- 5) TRAVELERS INSURANCE
COMPANY, a Connecticut corporation;
- 6) TRAVELERS INDEMNITY
COMPANY, a Connecticut corporation;
- 7) ARTER & HADDEN, LLP;
- 8) ROBERT B. PRESTON, an
individual;
- 9) FRANK T. CHRISTENSON, an
individual;
- 10) CONNECTICUT VALLEY
CLAIMS SERVICES COMPANY,
INC., a Delaware corporation;

11) JOHN P. BRETT, an individual;)
)
12) CHAR HAMILTON CAMPBELL)
& THOM, Attorneys At Law, A Law)
Corporation;)
)
Defendants.)
_____)

**STIPULATION RE: INSURANCE
COVERAGE FOR ARTER & HADDEN, LLP**

IT IS HEREBY STIPULATED by and among Plaintiffs, Defendants Arter & Hadden, LLP, Marc Gertz, in his capacity as Trustee for Arter & Hadden, LLP, in the Ohio Bankruptcy action, and the "Minidom" Insurers: Columbia Casualty Company, Nutmeg Insurance Company, and St. Paul Surplus Lines Insurance Company, by and through their respective counsel, that the applicable Insurance Policy 1015-00 issued by the Minidom Insurers dated January 9, 2001 (Minidom Policy No. 1015-00) to Arter & Hadden, LLP as an insured, is the policy applicable to the federal asbestos actions entitled Baclaan v. Combustion Engineering, Inc., et al., CV 03-00325 REJ LEK, and Toro v. Combustion Engineering, Inc., et al., CV 03-00326 REJ KSC.

The parties to this stipulation further agree that Mendes & Mount sent the following letters: 1) from Mendes & Mount to Frank LaManna, Esq., on behalf of Arter Hadden, LLP dated July 25, 2003, 2) from Mendes & Mount to Robert

Preston, Esq. dated January 27, 2006, and 3) from Mendes & Mount to Robert Bernstein, Esq., dated March 15, 2006.

Furthermore, by entering into said stipulation, the parties to this stipulation reserve all rights and remedies available to them by law and are not waiving their respective positions on coverage. Any party to the instant stipulation can petition the court at any time to issue a further ruling on applicable coverage under Minidom Policy No. 1015-00.

DATED: Honolulu, Hawai'i, _____.

GARY O. GALIHER
L. RICHARD DeROBERTIS
JEFFREY T. ONO
Attorneys for Plaintiffs

DATED: Pittsburgh, Pennsylvania, 6 Feb 27, 2006 _____.



ROBERT S. BERNSTEIN

Special Counsel for Arter & Hadden, LLP,
Ohio Bankruptcy Trustee, Marc Gertz, Esq.

DATED: 10/18/06, Ohio, _____.



ROBERT B. PRESTON
Defendant


DATED: New York, New York, September 19, 2006.



ANTHONY P. SPAIN
MICHELLE MAURO BARTHEL

Counsel for "Minidom" Insurers: Columbia
Casualty Company, Nutmeg Insurance
Company, and St. Paul Surplus Lines
Insurance Company

APPROVED AS TO FORM ONLY:



KENNETH S. ROBBINS
CLARISSA Y. MALINAO

Attorneys for Defendant
ROBERT B. PRESTON, an individual and
Specially Appearing for
Defendant ARTER & HADDEN, LLP

APPROVED AND SO ORDERED:



THE HONORABLE ROBERT E. JONES

Civil No. CV 03-00326 REJ KSC, Toro, et al., v. Combustion Engineering, Inc., et al.; STIPULATION RE: INSURANCE COVERAGE FOR ARTER & HADDEN, LLP AND ORDER